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Jury feels burden lift at return of verdict

Decision took 36 hours of talk over 3 days

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EUGENE — Jurors in Elizabeth Diane Downs' murder trial said Sunday they felt an immense weight lifted from their shoulders after returning the verdicts convicting the 28-year-old Springfield woman of murdering one of her children and attempting to murder two others.

Juror David W. Brewer, a 41-year-old Springfield millworker, said, "We never thought we would take as long as we did, but tough decisions are never made easily.

"We felt a tremendous weight lifted from our shoulders," he said of the end to 36 hours of deliberations over the course of three days. The trial lasted 31 days. "It was a long, tough decision that we agonized over."

The jury found that Downs murdered Cheryl Lynn Downs, 7, and tried to murder Christie Ann, 9, and Stephen "Danny" Downs, 4. The panel also convicted her of first-degree assault for the attack May 19, 1983, on Old Mohawk Road northeast of Springfield.

Jurors 'awed' by event

Brewer said all the jurors, nine women and three men, were "awed by the incredibility of what happened out there on that road."

"Hey, murder is heavy. It's not something we deal with regularly.

"No one piece of evidence or testimony" led to Downs' convictions, he said. Of Downs' various versions of the shootings, he said, "It's a lot easier to believe someone when there is evidence to support what they are saying."

"We stood up good, I reckon," said Robert E. Cockrum of Springfield, another juror. "We're still alive." Cockrum said he planned to "take about a year off" to recover from the emotional and physical ordeal of the trial.

Ann Board, also of Springfield, said she was relieved that the trial was "finally over." She said she felt good about the verdict but declined to elaborate.

Minutes before the jury entered the courtroom early Sunday morning, an outwardly confident Downs laughed and talked with her attorney, James C. Jagger. Downs showed no emotion while Judge Gregory G. Foote read the five guilty verdicts against her, except for a slight rhythmic jerking of her head in a side-to-side manner. She glanced at the jurors only once, when they stood to leave the courtroom for the final time.

The prosecution said she was so besotted with a former lover, Robert A. Knickerbocker of Chandler, Ariz., that she shot the children to win back his affections. Knickerbocker testified he had told her he didn't want to be father to her children.

Verdicts not shock

The guilty verdicts did not come as a great shock to Downs or Jagger, the defense attorney said, because of instructions sought from the judge Saturday. At that time, verdicts had been reached — but not formally announced — on the attempted murder and assault counts.

The murder charge required unanimous decisions either to convict or to acquit Downs. The four lesser charges required at least a 10-2 vote.

Jagger, who said Downs would likely appeal the verdicts, characterized his client as "not concerned with herself" but worried about the future of her children, including the unborn child due any day. The state will take immediate custody of the baby; the two surviving children are already in foster care.

"She said earlier she wanted . . . to make sure Christie didn't have any guilt from this," Jagger said, referring to Christie's dramatic eyewitness testimony against her mother. On the stand, Christie told a hushed courtroom, "My mom," when asked who shot her sister Cheryl.

"We still disagree with" whether Christie's account was accurate, Jagger said, or a confused remembrance of a child prompted by "leading questions" from a psychologist.

He contended that Christie confused her mother with the shaggy-haired stranger Downs said flagged down her car and shot her children and her on Old Mohawk Road after she refused to relinquish her car keys.

Prosecutor Frederick A. Hugi's case against Downs maintained that she shot her children and superficially wounded herself in an attempt to create a traumatic situation and thus win back Knickerbocker's affections.

Hugi refused to comment on his victory after the verdicts were announced.

Spectators keep vigil

Many of the spectators who packed the courtroom for the duration of the trial, which began May 8, waited in the halls of the courthouse throughout the jury's lengthy deliberations and were on hand when the decisions were announced.

Just before the verdicts were read, Judge Foote told those present, including a contingent of 15 reporters, "It would be inappropriate for there to be any response whatsoever, so please keep quiet."

Upon hearing the decision, one spectator said to another, "Good, they got her. They really got her."

The foster mother who has custody of Downs' two children broke into tears and said later, "Gosh, we ought to celebrate."

Claudia Langan, head of the grand jury that indicted Downs, said the verdict was "exactly" what she had expected.

Detective Douglas E. Welch of the Lane County sheriff's office, who played a key role in the investigation, said, "I'm relieved, obviously. Maybe it's almost been too long to yet appreciate the outcome."

Welch said Downs repeatedly told jail personnel who transported her to court every day, "I'm going to be acquitted." He called Downs a "chameleon" because of the changing versions of the shootings she gave to police during the nine months leading to her arrest.

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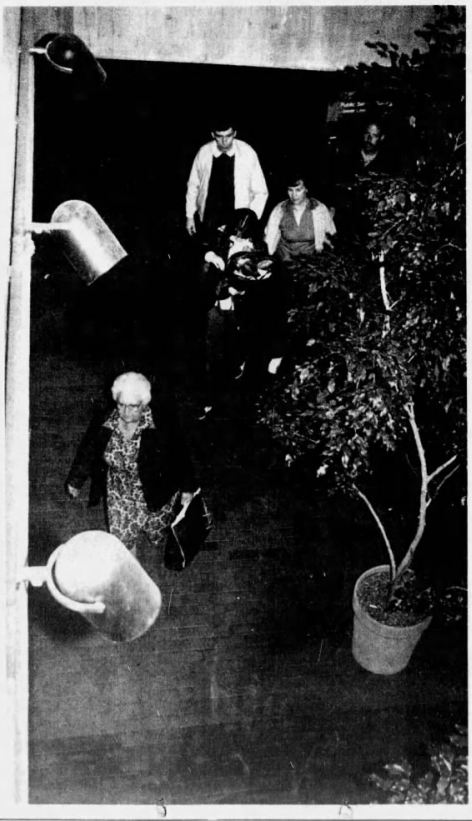
GUILTY VERDICT — Deputy escorts Elizabeth Diane Downs back to Lane County Jail, above, after 28-year-old Springfield woman was convicted early Sunday of murder, attempted murder and assault in shootings of her children. Below, jurors leave Lane County Courthouse after finding Downs guilty.



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